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Atty Dkt No. 7610-0029

7-15-03

Date: July 15, 2003

Name: K. Mary O'Malley

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Richard N. ELISON et al.

Serial No.: 09/964,215

Group Art Unit: 1639

Filing Date: September 25, 2001

Examiner: Mauric G. BAKER

Title: HIGH DENSITY MOLECULAR ARRAYS ON POROUS SURFACES

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

Commissioner for Patents
Washington, DC 20231

Sir:

This is in response to the Notice mailed from the PTO on June 16, 2003 in which the Examiner indicated that applicants' prior response was nonresponsive for failure to elect a species. This was an oversight on applicants' part, and we apologize to the Examiner for the inconvenience.

Applicants affirm the election of Group I, and additionally, with respect to the requirement for an election of species, elect the species wherein the biomolecules of claim 5 are peptidic. The requirement for an election of species is traversed to the extent that the two species identified by the Examiner are linked through the common concept of using *focused acoustic ejection* to generate droplets of a molecular moiety in a fluid. Applicants respectfully request the Examiner to reconsider the issue.

The claims of Group I which read on the elected species are 1-5 and 10-13.

Should the Examiner have any questions as search and examination are initiated, she is welcome to contact the undersigned attorney at (650) 330-0350.

Respectfully submitted,

By: Dianne E. Reed

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GROUP 1600**OFFICIAL****FACSIMILE TRANSMITTAL SHEET**

TO: Examiner Maurie Garcia Baker, Ph.D. Group Art Unit 1639 USPTO	FACSIMILE No.: (703) 305-7230 TELEPHONE No.: (703) 308-0065
FROM: Dianne E. Reed Reg. No. 31,292	FACSIMILE No.: (650) 330-0980 TELEPHONE No.: (650) 330-0900
DATE: July 15, 2003	PAGE 1 OF: 2
SUBJECT: In re Application of: Serial No.: 09/964-215 Filed: September 25, 2001 Title: HIGH DENSITY MOLECULAR ARRAYS ON POROUS SURFACES Attorney Docket No.: 7610-0001.25	CONFIRMATION COPY TO FOLLOW: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

PLEASE DELIVER THE ATTACHED "RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT" TO EXAMINER MAURIE GARCIA BAKER.

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